

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE**

ELIZABETH C. DEMPSEY,

Plaintiff,

v.

STATE OF DELAWARE,

DEPARTMENT OF PUBLIC SAFETY,

Defendant.

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Civil Action No.: 06-456 SLR

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COMES NOW, the above-captioned Defendant, by and through its counsel, and hereby moves this Honorable Court to enter an Order granting Summary Judgment in its favor, and against the Plaintiff in this matter, pursuant to Federal Rule of Civil Procedure 56(c), for the reasons set forth in the accompanying State of Delaware's Opening Brief in Support of its Motion for Summary Judgment.

**DEPARTMENT OF JUSTICE  
STATE OF DELAWARE**

/s/Stephani J. Ballard

STEPHANI J. BALLARD (I.D. No. 3481)

Deputy Attorney General

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820 North French Street, 6<sup>th</sup> Floor

Wilmington, DE 19801

(302) 577-8400

Attorney for State Defendant

DATED: January 29, 2008

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**CERTIFICATE OF MAILING AND/OR DELIVERY**

The undersigned certifies that on January 29, 2008, she caused the attached,  
*Defendants' Motion for Summary Judgment*, to be electronically filed with the Clerk of  
Court using CM/ECF which will send notification of such filing to the following:

Jeffrey K. Martin, Esquire  
Martin & Wilson, P.A.  
1508 Pennsylvania Avenue, Suite 1C  
Wilmington, DE 19806

/s/ Stephani J. Ballard  
Stephani J. Ballard, I.D. #3481  
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